

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHAKA FATTAH, JR. : CIVIL ACTION

v. : :

UNITED STATES OF AMERICA, et al. : NO. 14-1092

ORDER

AND NOW, this 27th day of August, 2014, upon consideration of the Defendant's Motion to Dismiss Claims Under Privacy Act and 26 U.S.C. §§ 7431, 7433, and for Summary Judgment as to Remaining Claim for Refund of Penalties (Document No. 14) and the plaintiff's responses, it is ORDERED that the motion is **GRANTED IN PART** and **DENIED IN PART**.

IT IS FURTHER ORDERED as follows:

1. To the extent the motion seeks to dismiss the claims brought under 26 U.S.C. §7433 and the Privacy Act, it is **GRANTED**;
2. The claims under 26 U.S.C. §7433 and the Privacy Act are **DISMISSED**;
3. To the extent the motion seeks to dismiss the claim brought under 26 U.S.C. §7431, it is **DENIED**;
4. The defendants' motion for summary judgment is **DENIED**; and
5. The defendants Federal Bureau of Investigation and the Department of Justice are **DISMISSED** as defendants.

/s/ Timothy J. Savage

TIMOTHY J. SAVAGE, J.